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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/016,679	PROBST ET AL.	
	Examiner	Art Unit	
	Cam Y T. Truong	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 June 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *45-77* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *45-77* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Applicant has amended claims 45, 54, 58, 63, 68 and 72 in the amendment filed on 6/18/2007.

Claims 45-77 are pending in this Office Action.

Response to Arguments

2. Applicant's arguments filed 6/18/2008 have been fully considered but they are not persuasive.

Applicant argued that Sheth does not in any way teach or suggest a DTD having declared elements and attributes for more than one type of asset as defined by applicants.

In response to applicant's argument, Sheth teaches a DTD having declared elements and attributes of different types (audio or video files) of assets (figs. 6 and 4, col. 2, lines 45-50; col. 10, lines 25-55).

Applicant argued that claims 45-77 are statutory.

In response to applicant's argument, the claims 45-62 fail to place the invention squarely within one statutory class of invention. On page 11, line 12 of the instant specification, applicant has provided evidence that applicant intends the "medium" to include network. As such, the claim is drawn to a form of energy. Energy is not one of the four categories of invention and therefore this claim(s) is/are not statutory. Energy is not a series of steps or acts and thus is not a process. Energy is not a physical article

or object and as such is not a machine or manufacture. Energy is not a combination of substances and therefor not a composition of matter.

Claims 63-77 recite "a computer system". However, the claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best, functional descriptive material *per se*.

Applicant argued that none of the cited references provides any motivation for being combined with the other references.

In response to applicant's argument, In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case:

For claims 45 and 58, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of DTD includes attribute for rights management video recording an graphic to Huang's system in order

to search, filter and browser a specific type of information based on user's request in an effective manner and further to unauthorized users search/retrieve or modify digital assets without permission.

For claim 54, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery's teaching of storing photographs, audio, voiceovers 492 in a disk and Jacobs teaches storing advertisements on a storage medium, the advertisements include promo sports, graphical, audio, and video to Huang's system in order to allow a view to manipulate voice for motion video or any different type of multimedia data and to track usage of digital content on user devices quickly.

For claims 63 and 68:

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of DTD includes attribute for rights management and the various DTDs, on all levels, prescribe the requisite format of compliant content instances, but not the content itself or its manner of presentation. The topic DTDs and their progeny provide that compliant content includes one, multiple, or all of the following media types: text, short form text, audio, video, graphics images, to Sezan's system in order to search, filter and browser a specific type of information based on user's desire in a personalized, effective manner and further to prevent unauthorized users to modify digital media file; and

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of DTD includes attribute for rights

management and The various DTDs, on all levels, prescribe the requisite format of compliant content instances, but not the content itself or its manner of presentation. The topic DTDs and their progeny provide that compliant content includes one, multiple, or all of the following media types: text, short form text, audio, video, graphics images to Sheth's system in order to search, filter and browser a specific type of information based on user's desire in a, effective manner and further to prevent unauthorized users to modify digital media file.

For claim 72:

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery's teaching of storing photographs, audio, voiceovers 492 in a disk and Baru's teaching of DTD includes attribute for rights management and The various DTDs, on all levels, prescribe the requisite format of compliant content instances, but not the content itself or its manner of presentation. The topic DTDs and their progeny provide that compliant content includes one, multiple, or all of the following media types: text, short form text, audio, video, graphics images to Sheth's in order to allow a user to search/retrieve digital motion video or video image in a database quickly and allow a view to manipulate voice for motion video or any different type of multimedia data easily and to search a portion of multimedia files via a network easily and quickly or save time searching/retrieving multimedia files in an effective manner and further to unauthorized users search/retrieve or modify digital assets without permission; and

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery teaches storing photographs, audio, voiceovers 492 in a disk and Baru's teaching of DTD includes attribute for rights management and The various DTDs, on all levels, prescribe the requisite format of compliant content instances, but not the content itself or its manner of presentation. The topic DTDs and their progeny provide that compliant content includes one, multiple, or all of the following media types: text, short form text, audio, video, graphics images to Sezan's system in order to allow a user to search/retrieve digital motion video or video image in a database quickly and allow a view to manipulate voice for motion video or any different type of multimedia data easily and to search a portion of multimedia files via a network easily and quickly or save time searching/retrieving multimedia files in an effective manner and further to unauthorized users search/retrieve or modify digital assets without permission.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 45-77 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to

one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The recited limitation " the DTD identifying to the data processing system executing the application program the declared elements and the declared element's relative locations within the digital assets to enable the data processing system to process storage, retrieval, search, and tracking requests pertaining to the digital assets" in claims 45, 54, 58, 63, 68 and 72, was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors.

The recited limitation "the format of data records "the format of the database records on the first computer readable medium conforming to the DTD" in claims 63, 68 and 72 was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The claims 45-62 fail to place the invention squarely within one statutory class of invention. On page 11, line 12 of the instant specification, applicant has provided evidence that applicant intends the "medium" to include network. As such, the claim is drawn to a form of energy. Energy is not one of the four categories of invention and therefore this claim(s) is/are not statutory. Energy is not a series of steps or acts and thus is not a process. Energy is not a physical article or object and as such is not a machine or manufacture. Energy is not a combination of substances and therefor not a composition of matter.

5. Claims 63-77 recite "a computer system". However, the claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best, functional descriptive material *per se*.

Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." Both types of "descriptive material" are nonstatutory when claimed as descriptive material *per se*, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994)

Merely claiming nonfunctional descriptive material, i.e., abstract ideas, stored on a computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not make it statutory. See *Diehr*, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an algorithm in *Benson* were unpatentable as abstract ideas because "[t]he sole practical application of the algorithm was in connection with the programming of a general purpose computer.").

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 45-48, 52-53, 58 and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Baru et al (or hereinafter "Baru") (US 7028252).

As to claim 45, Huang teaches the claimed limitations:

"computer readable medium storing data for access by an application program executing on a data processing system, the computer readable medium comprising a document type definition (DTD) stored on the computer readable medium for use in storing, retrieving, searching, or tracking digital assets stored in one or more databases" as DTDs for use in searching data in a database (col. 7, lines 40-41; col. 7, lines 50-55);

"the DTD comprising declared elements and attributes for at least two types of digital assets, one type selected from the group consisting of photographs, movies, graphics, and text documents" as the DTD provides a list of the elements, tags, attributes, and entities contained in the document. This document contains two types movie and animation (col. 7, lines 50-55; col. 15);

" the DTD identifying to the data processing system executing the application program the declared elements and the declared element's relative locations within the digital assets to enable the data processing system to process storage, retrieval, search, and tracking requests pertaining to the digital assets" as DTD specifies URLs of elements with assets and declared elements to allow system searching and retrieving assets based on user's requests (abstract; col. 7, lines 50-65; col. 15, col. 13, lines 25-43).

Huang does not explicitly teach the claimed limitations " second type selected from the group consisting of audio recordings and video recordings; "DTD further comprising metadata for rights management of the at least two types of digital assets".

Baru teaches DTD includes attribute for rights management for video recording and graphic (col. 12, lines 20-67; col. 39).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of DTD includes attribute for rights management video recording an graphic to Huang's system in order to search, filter and browser a specific type of information based on user's request in an effective manner and further to unauthorized users search/retrieve or modify digital assets without permission.

As to claim 46, Huang teaches the claimed limitation "wherein the DTD is encoded in extensible markup language (XML)" as XML (col. 14, Appendix).

As to claim 47, Huang teaches the claimed limitation "wherein the DTD comprises metadata for at least three of photographs or movies" as (col. 14-15).

Huang does not explicitly teach the claimed limitation "another type selected from the group consisting of audio recordings and video recordings".

Baru teaching video recording (col. It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sezan's teaching of attribute voice-annotation for audio and color profile for video to Sheth's system in order to allow a user to search/retrieve digital motion video or video image in a database quickly.

As to claim 48, Huang teaches the claimed limitation "wherein the DTD comprises declared elements and attributes for at least three types of digital assets, at least one type selected from the group consisting of photographs, movies, graphics, and text documents" as (col. 7, lines 50-55; col. 15).

Huang does not explicitly teaches the claimed limitation "another type selected from the group consisting of audio recordings and video recordings".

Baru teaches DTD includes attribute for rights management for graphic and video recording (col. 39, col. 11, lines 20-67).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching to Huang's system in order to allow a user to search/retrieve digital motion video or video image in a database quickly.

As to claim 52, Huang does not explicitly teach the claimed limitation "wherein the DTD comprises metadata for video recordings and further comprise a plurality of metadata attributes for the video-recordings metadata, the video-recordings metadata attributes comprising a definition for rights issues regarding use of a video recordings".

Baru teaches video recording metadata attributes comprising meta for copyrights regarding to use of a video recordings (col. 37, col. 39).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching to Huang's system in order to prevent hacker or cracker to record video data without permission.

As to claims 53 and 62, Huang does not explicitly teach the claimed limitation "wherein the rights management metadata comprises at least one of: a contract identifier; an availability start date; an availability end date; an allowed number of plays per agreement; a copyright holder identifier and a worldwide rights identifier".

Baru teaches contact name as contact identifier (col. 39).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of contact name to Huang's sytem in order to prevent hacker or cracker to record video data.

As to claim 58, Huang teaches the claimed limitation "digital content selected from the group consisting of digitally encoded asset data, a link to a file containing asset data, and a reference to a location where asset data is digitally stored" as (col. 8, lines 25-40; col. 15; col. 7, lines 20-50);

"declared elements and attributes for at least three types of digital assets, at least one type selected from the group consisting of photographs, movies, graphics, promos, voiceovers, and text documents" as (col. 7, lines 20-50; col. 8, lines 25-40; col. 15)

" the DTD identifying to the data processing system executing the application program the declared elements and the declared element's relative locations within the digital assets to enable the data processing system to process storage, retrieval, search, and tracking requests pertaining to the digital assets" as DTD specifies URLs of elements with assets and declared elements to allow system searching and retrieving

assets based on user's requests (abstract; col. 7, lines 50-65; col. 15, col. 13, lines 25-43).

Huang does not explicitly teach the claimed limitation "another type selected from the group consisting of audio recordings and video recordings; metadata for rights management of the at least three types of digital assets".

Baru teaches video recording metadata attributes comprising meta for copyrights regarding to use of a video recordings (col. 37, col. 39).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of video recording metadata attributes comprising meta for copyrights regarding to use of a video recordings to Huang's system in order to search, filter and browser a specific type of information based on user's request in an effective manner and further to unauthorized users search/retrieve or modify digital assets without permission.

7. Claims 49, 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Baru and further in view of Sezan.

As to claims 49 and 59, Huang and Baru disclose the claimed limitation subject matter in claims 45 and 58, except the claimed limitation "a definition for black/white; a definition for color; a definition for caption and a definition for legal restrictions associated with a photograph". Sezan teaches the management may include the capabilities of a device for providing the audio, video, and/or images. Such capabilities

may include, for example, screen size, stereo, AC3, DTS, color, black/white (col. 6, lines 25-30).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sezan's teaching of color back/white to Huang's system in order to permit a user can control color of image or movie following user's desire and understand the meaning of movie.

8. Claims 50 and 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Baru and further in view of Foreman et al (or hereinafter "Foreman") (USP 6628303).

As to claims 50 and 60, Huang discloses the claimed limitation subject matter in claims 45 and 58, except the claimed limitation "a definition for music; a definition for track title; a definition for duration; a definition for compact disc (CD) number; a definition for CD title; and a definition for rights issues regarding use of an audio recording". Foreman teaches Title track, duration (fig. 6).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Foreman's teaching of title track, duration to Huang's system in order to provide information about programming available on such systems to a user and save time for viewers search/view information.

9. Claims 51 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Baru and further in view of Reimer et al (or hereinafter "Reimer") (USP 6065042).

As to claims 51 and 61, Huang does not explicitly teach the claimed limitation "wherein DTD comprises metadata for movies and further comprises a plurality of metadata attributes for the movie metadata, the movie-metadata attributes comprising at least one of: a definition for title; a definition for version; a definition for rating; a definition for minutes; a definition for release date; a definition for run time; a definition for color; a definition for synopis; a definition for director; a definition for cast; and a definition for allowable usage of a movie". Reimer teaches the VCR video version 702 includes five frames, whereas the corresponding shot 706 in the theatrical presentation 724 includes four frames. Each frame in the VCR video version 702 includes a unique time code. These time codes are measured from the beginning of the VCR video version 702. Since the number of frames per shot differs in the VCR video version 702 and the theatrical presentation 724, the time codes between the VCR video version 702 and the theatrical presentation 724 also differ (col. 12, lines 50-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Reimer's teaching of video version includes an unique time code to Huang's system in order to allow a viewer to understand meaning of version before select any version of a movie or any media.

10. Claims 54-55, 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Montgomery and Jacobs.

As to claim 54, Huang teaches the claimed limitations:

"computer readable medium storing data for access by an application program executing on a data processing system, the computer readable medium comprising a document type definition (DTD) stored on the computer readable medium for use in storing, retrieving, searching, or tracking digital assets stored in one or more databases" as DTDs for use in searching data in a database (col. 7, lines 40-41; col. 7, lines 50-55);

"the DTD comprising declared elements and attributes for photographic digital assets, audio digital assets" as the DTD provides a list of the elements, tags, attributes, and entities contained in the document. This document contains two types audio and animation (col. 7, lines 50-55; col. 15);

" the DTD identifying to the data processing system executing the application program the declared elements and the declared element's relative locations within the digital assets to enable the data processing system to process storage, retrieval, search, and tracking requests pertaining to the digital assets" as DTD specifies URLs of elements with assets and declared elements to allow system searching and retrieving assets based on user's requests (abstract; col. 7, lines 50-65; col. 15, col. 13, lines 25-43).

Huang does not explicitly teaches the claimed limitation "promo digital assets, and voiceover digital assets, wherein said photographic, audio, promo, and voiceover digital assets are all stored on a same computer readable medium". Montgomery

teaches storing photographs, audio, voiceovers 492 in a disk (fig. 4B; col. 8, lines 1-10; col. 8, lines 30-35). Jacobs teaches storing advertisements on a storage medium. The advertisements include promo sports, graphical, audio, and video (page 4, col. Left; paragraph [0026]).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery's teaching of storing photographs, audio, voiceovers 492 in a disk and Jacobs teaches storing advertisements on a storage medium, the advertisements include promo sports, graphical, audio, and video to Huang's system in order to allow a view to manipulate voice for motion video or any different type of multimedia data and to track usage of digital content on user devices quickly.

As to claim 55, Huang does not explicitly teach the claimed limitation "wherein the computer readable medium comprising the DTD is the same computer readable medium storing the photographic, audio, promo, and voiceover digital assets".

Montgomery teaches storing photographs, audio, voiceovers 492 in a disk (fig. 4B; col. 8, lines 1-10; col. 8, lines 30-35). Jacobs teaches storing advertisements on a storage medium. The advertisements include promo sports, graphical, audio, and video (page 4, col. Left; paragraph [0026]).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery's teaching of storing photographs, audio, voiceovers 492 in a disk and Jacobs teaches storing advertisements on a storage

medium, the advertisements include promo sports, graphical, audio, and video to Huang's system in order to allow a view to manipulate voice for motion video or any different type of multimedia data and to track usage of digital content on user devices quickly.

As to claim 57, Huang does not explicitly teach the claimed limitation "wherein the rights management metadata comprises at least one of: a contract identifier; an availability start date; an availability end date; an allowed number of plays per agreement; a copyright holder identifier and a worldwide rights identifier".

Baru teaches contact name as contact identifier (col. 39).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of contact name to Huang's sytem in order to prevent hacker or cracker to record video data without permission.

11. Claim 56 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang in view of Montgomery and Jacobs and further in view of Baru.

As to claim 56, Huang does not explicitly teach the claimed limitation "wherein the DTD further comprise declared elements and attributes for rights management of at least two different ones of the photographic, audio, promo, and voiceover digital assets".

Baru teaches DTD includes attribute for rights management for graphic and video (col. 39; col. 11, lines 20-67).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of DTD includes attribute for rights management to Huang's system in order to search, filter and browser a specific type of information based on user's desire in a personalized, effective manner and further to prevent hackers or crackers to modify digital media file without permission.

12. Claims 63-65, and 67-71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan in view of Baru et al (or hereinafter "Baru") (US 7028252).

As to claim 63, Sezan teaches the claimed limitations:

"a first computer readable medium comprising a database stored thereon, the database comprising a plurality of records, a first record identifying a photograph, a second record identifying a video recording, and a third record identifying an audio recording" as (col. 19-col. 20, col. 5, lines 30-35);

"a second computer readable medium comprising a document type definition (DTD) stored thereon, the DTD comprising declared elements and attributes for photographs, video recordings, and audio recordings, the database records on the first computer readable medium conforming to the DTD" as (col. 4, lines 5-40; col. 14, lines 45-56);

"a central processing unit operative to access or receive data stored on the first and second computer readable mediums" as (col. 19-col. 20, col. 5, lines 30-35);

"the DTD identifying to the central processing nut the declared elements and the declared element's relative locations within the database records to enable the central

processing unit to process storage, retrieval, search, and tracking requests pertaining to at least one of the photograph, the video recording, and the audio recording" as (col. 19, lines 20-40; col. 20, lines 20-45; col. 4, lines 20-40).

Sezan does not explicitly the claimed limitation " the DTD further comprising metadata for rights management of the photographs, video recordings and audio recordings; the format of the database records on the first computer readable medium conforming to the DTD".

Baru teaches DTD includes attribute for rights management for graphic and video (col. 39; col. 11, lines 20-67). The various DTDs, on all levels, prescribe the requisite format of compliant content instances, but not the content itself or its manner of presentation. The topic DTDs and their progeny provide that compliant content includes one, multiple, or all of the following media types: text, short form text, audio, video, graphics images, etc. (abstract, col. 15, lines 30-40; col. 5, lines 30-50)

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of DTD includes attribute for rights management and the various DTDs, on all levels, prescribe the requisite format of compliant content instances, but not the content itself or its manner of presentation. The topic DTDs and their progeny provide that compliant content includes one, multiple, or all of the following media types: text, short form text, audio, video, graphics images, to Sezan's system in order to search, filter and browser a specific type of information based on user's desire in a personalized, effective manner and further to prevent unauthorized users to modify digital media file.

As to claims 64 and 69, Sezan teaches the claimed limitation "wherein the first computer readable medium and the second computer readable medium are the same computer readable medium" as (col. 19-col. 20, col. 5, lines 30-35).

As to claims 65 and 70, Sezan teaches the claimed limitation "a definition for black/white; a definition for color; a definition for caption and a definition for legal restrictions associated with a photograph" as the management may include the capabilities of a device for providing the audio, video, and/or images. Such capabilities may include, for example, screen size, stereo, AC3, DTS, color, black/white (col. 6, lines 25-30).

As to claims 67 and 71, Sezan does not explicitly teach the claimed limitation "wherein the rights management metadata comprises at least one of: a contract identifier; an availability start date; an availability end date; an allowed number of plays per agreement; a copyright holder identifier and a worldwide rights identifier".

Baru teaches contact name as contact identifier (col. 39).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of contact name to Sezan's system in order to prevent hacker or cracker to record video data.

As to claim 68, Sezan teaches the claimed limitations:

"a first computer readable medium comprising a database stored thereon, the database comprising a plurality of records, one record identifying a photograph, a second record identifying a video recording, and a third record identifying a text document" as (col. 19-col. 20, col. 5, lines 30-35);

"a second computer readable medium comprising a document type definition (DTD) stored thereon, the DTD comprising declared elements and attributes for photographs, video recordings, and text documents" (col. 14, lines 45-65, fig. 2);

"a third computer readable medium comprising digital content stored thereon, the digital content comprising a photograph, a video recording, and a text document associated with the DTD and the database records" as (col. 19-col. 20, col. 5, lines 30-35);

"a central processing unit operative to access or receive data stored on the first, second, and third computer readable mediums" (col. 19-col. 20, col. 5, lines 30-35).

"the DTD identifying to the central processing nut the declared elements and the declared element's relative locations within the database records to enable the central processing unit to process storage, retrieval, search, and tracking requests pertaining to at least one of the photograph, the video recording, and text document" as (col. 19, lines 20-40; col. 20, lines 20-45; col. 4, lines 20-40).

Sezan does not explicitly teach the claimed limitation "the DTD further comprising metadata for rights management of at least one photograph and at least one video recording; the format of the database records conforming to the DTD".

Baru teaches DTD includes attribute for rights management for graphic and video (col. 39; col. 11, lines 20-67). The various DTDs, on all levels, prescribe the requisite format of compliant content instances, but not the content itself or its manner of presentation. The topic DTDs and their progeny provide that compliant content includes one, multiple, or all of the following media types: text, short form text, audio, video, graphics images, etc. (abstract, col. 15, lines 30-40; col. 5, lines 30-50)

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of DTD includes attribute for rights management and the various DTDs, on all levels, prescribe the requisite format of compliant content instances, but not the content itself or its manner of presentation. The topic DTDs and their progeny provide that compliant content includes one, multiple, or all of the following media types: text, short form text, audio, video, graphics images, to Sezan's system in order to search, filter and browser a specific type of information based on user's desire in a personalized, effective manner and further to prevent unauthorized users to modify digital media file.

13. Claims 63-64, 67-69 and 71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth in view of Baru.

As to claim 63, Sheth teaches the claimed limitations:

"a first computer readable medium comprising a database stored thereon, the database comprising a plurality of records, a first record identifying a photograph, a

second record identifying a video recording, and a third record identifying an audio recording" as (fig. 2, fig. 10, col. 14, lines 45-65);

"a second computer readable medium comprising a document type definition (DTD) stored thereon, the DTD comprising declared elements and attributes for photographs, video recordings, and audio recordings" as (col. 16, lines 55-67; fig. 6 & 9-10);

"the format of the database records on the first computer readable medium conforming to the DTD" as (fig. 2, fig. 10, col. 14, lines 45-65);

"a central processing unit operative to access or receive data stored on the first and second computer readable mediums" as (col. 10, lines 6-55, figs. 6&14);

"the DTD identifying to the central processing unit the declared elements and the declared element's relative locations within the database records to enable the central processing unit to process storage, retrieval, search, and tracking requests pertaining to at least one of the photograph, the video recording, and the audio recording" as (col. 19, lines 20-40; col. 20, lines 20-45; col. 4, lines 20-40).

Sheth does not explicitly the claimed limitation "the format of database records on the first computer readable medium conforming to the DTD; the DTD further comprising metadata for rights management of the photographs, video recordings and audio recordings".

Baru teaches DTD includes attribute for rights management for graphic and video (col. 39; col. 11, lines 20-67). The various DTDs, on all levels, prescribe the requisite format of compliant content instances, but not the content itself or its manner of

presentation. The topic DTDs and their progeny provide that compliant content includes one, multiple, or all of the following media types: text, short form text, audio, video, graphics images, etc. (abstract, col. 15, lines 30-40; col. 5, lines 30-50)

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of DTD includes attribute for rights management and the various DTDs, on all levels, prescribe the requisite format of compliant content instances, but not the content itself or its manner of presentation. The topic DTDs and their progeny provide that compliant content includes one, multiple, or all of the following media types: text, short form text, audio, video, graphics images, to Sheth's system in order to search, filter and browser a specific type of information based on user's desire in a personalized, effective manner and further to prevent unauthorized users to modify digital media file.

As to claims 64, and 69, Sheth teaches the claimed limitation "wherein the first computer readable medium and the second computer readable medium are the same computer readable medium" as (col. 10, lines 6-55).

As to claims 67 and 71, Sheth does not explicitly teach the claimed limitation "wherein the rights management metadata comprises at least one of: a contract identifier; an availability start date; an availability end date; an allowed number of plays per agreement; a copyright holder identifier and a worldwide rights identifier".

Baru teaches contact name as contact identifier (col. 39).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of contact name to Sheth's sytem in order to prevent hacker or cracker to record video data.

As to claim 68, Sheth teaches the claimed limitation "a first computer readable medium comprising a database stored thereon, the database comprising a plurality of records, one record identifying a photograph, a second record identifying a video recording, and a third record identifying a text document" as (figs. 1-6 &11, col. 8, lines 20-45);

"a second computer readable medium comprising a document type definition (DTD) stored thereon, the DTD comprising declared elements and attributes for photographs, and text documents, the database records conforming to the DTD" as (fig. 2, fig. 10, col. 14, lines 45-65);

"a third computer readable medium comprising digital content stored thereon, the digital content comprising a photograph, a video recording and a text document associated with said DTD and said database records" as (col. 16, lines 55-67; fig. 6 & 9-10);

"a central processing unit operative to access or receive data stored on the first, second, and third computer readable mediums" as (col. 10, lines 6-55, figs. 6&14).

"the DTD identifying to the central processing nut the declared elements and the declared element's relative locations within the database records to enable the central processing unit to process storage, retrieval, search, and tracking requests pertaining to

at least one of the photograph, the video recording, and the text document" as (col. 19, lines 20-40; col. 20, lines 20-45; col. 4, lines 20-40).

Sheth does not explicitly teach the claimed limitation "the format of database records on the first computer readable medium conforming to the DTD; the DTD further comprising metadata for rights management of at least one photograph and at least one video recording".

Baru teaches DTD includes attribute for rights management for graphic and video (col. 39; col. 11, lines 20-67). The various DTDs, on all levels, prescribe the requisite format of compliant content instances, but not the content itself or its manner of presentation. The topic DTDs and their progeny provide that compliant content includes one, multiple, or all of the following media types: text, short form text, audio, video, graphics images, etc. (abstract, col. 15, lines 30-40; col. 5, lines 30-50)

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of DTD includes attribute for rights management and the various DTDs, on all levels, prescribe the requisite format of compliant content instances, but not the content itself or its manner of presentation. The topic DTDs and their progeny provide that compliant content includes one, multiple, or all of the following media types: text, short form text, audio, video, graphics images, to Sheth's system in order to search, filter and browser a specific type of information based on user's desire in a personalized, effective manner and further to prevent unauthorized users to modify digital media file.

14. Claims 65 and 70 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth in view of Baru and further in view of Sezan.

As to claims 65 and 70, Sheth does not teach the claimed limitation "a definition for black/white; a definition for color; a definition for caption and a definition for legal restrictions associated with a photograph". Sezan teaches the management may include the capabilities of a device for providing the audio, video, and/or images. Such capabilities may include, for example, screen size, stereo, AC3, DTS, color, black/white (col. 6, lines 25-30).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sezan's teaching of color back/white to Sheth's system in order to permit a user can control color of image or movie following user's desire and understand the meaning of movie.

15. Claim 66 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan in view of Baru and further in view of Foreman et al (or hereinafter "Foreman") (USP 6628303).

As to claim 66, Sezan does not explicitly teach the claimed limitation "a definition for music; a definition for track title; a definition for duration; a definition for compact disc (CD) number; a definition for CD title; and a definition for rights issues regarding use of an audio recording". Foreman teaches Title track, duration (fig. 6).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Foreman's teaching of title track, duration to Sezan's

system in order to provide information about programming available on such systems to a user and save time for viewers search/view information.

16. Claim 66 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth in view of Baru and further in view of Foreman et al (or hereinafter "Foreman") (USP 6628303).

As to claim 66, Sheth does not explicitly teach the claimed limitation "a definition for music; a definition for track title; a definition for duration; a definition for compact disc (CD) number; a definition for CD title; and a definition for rights issues regarding use of an audio recording". Foreman teaches Title track, duration (fig. 6).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Foreman's teaching of title track, duration to Sheth's system in order to provide information about programming available on such systems to a user and save time for viewers search/view information.

17. Claims 72-73 and 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth in view of Baru and Montgomery et al (or hereinafter "Montgomery") (USP 6380950).

As to claim 72, Sheth teaches the claimed limitations:

"a first computer readable medium comprising a database stored thereon, the database comprising a plurality of records, the records identifying at least two types of digital assets, at least one type selected from the group consisting of still images,

movies, graphics, voice-overs, promos, and text documents" as (figs. 1-6 &11, col. 8, lines 20-45);

"a second computer readable medium comprising a document type definition (DTD) stored thereon, the DTD comprising declared elements and attributes for the at least two types of digital assets, the format of the database records conforming to the DTD" as (fig. 2, fig. 10, col. 14, lines 45-65).

"a third computer readable medium comprising digital content of the at least two types of digital assets stored on and associated with the DTD and the database records; and a central processing unit operative to access or receive data stored on the first, second, and third computer readable mediums" as (fig. 6 &14, col. 10, lines 6-55);

"the DTD identifying to the central processing nut the declared elements and the declared element's relative locations within the database records to enable the central processing unit to process storage, retrieval, search, and tracking requests pertaining to a digital asset belonging to one of the at least two types of digital assets" as (fig. 6, col. 13, lines 1-30).

Sheth does not explicitly teach the claimed limitation "a second type selected from the group consisting of audio recordings and video recordings; the DTD further comprising metadata for rights management of at least two different types of digital assets selected from the group consisting of still images, promos, and voice-overs; the format of database records on the first computer readable medium conforming to the DTD".

Baru teaches DTD includes attribute for rights management for graphic and video recording (col. 39, col. 11, lines 20-67).

Montgomery teaches storing photographs, audio, voiceovers 492 in a disk (fig. 4B; col. 8, lines 1-10; col. 8, lines 30-35).

Baru teaches DTD includes attribute for rights management for graphic and video (col. 39; col. 11, lines 20-67). The various DTDs, on all levels, prescribe the requisite format of compliant content instances, but not the content itself or its manner of presentation. The topic DTDs and their progeny provide that compliant content includes one, multiple, or all of the following media types: text, short form text, audio, video, graphics images, etc. (abstract, col. 15, lines 30-40; col. 5, lines 30-50)

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery teaches storing photographs, audio, voiceovers 492 in a disk and Baru's teaching of DTD includes attribute for rights management and The various DTDs, on all levels, prescribe the requisite format of compliant content instances, but not the content itself or its manner of presentation. The topic DTDs and their progeny provide that compliant content includes one, multiple, or all of the following media types: text, short form text, audio, video, graphics images to Sheth's system in order to allow a user to search/retrieve digital motion video or video image in a database quickly and allow a view to manipulate voice for motion video or any different type of multimedia data easily and to search a portion of multimedia files via a network easily and quickly or save time searching/retrieving multimedia files in an

effective manner and further to unauthorized users search/retrieve or modify digital assets without permission.

As to claim 73, Sheth teaches the claimed limitation "wherein at least two of the first second, and third computer readable mediums are the same computer readable medium" as (fig. 6 &14, col. 10, lines 6-55).

As to claim 76, Sheth does not explicitly teach the claimed limitation "wherein the rights management metadata comprises at least one of: a contract identifier; an availability start date; an availability end date; an allowed number of plays per agreement; a copyright holder identifier and a worldwide rights identifier".

Baru teaches contact name as contact identifier (col. 39).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of contact name to Sheth's sytem in order to unauthorized users to modify the digital file without permission.

18. Claims 72 -74 and 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan in view of Baru and Montgomery et al (or hereinafter "Montgomery") (USP 6380950).

As to claim 72, Sezan teaches the claimed limitations:

"a first computer readable medium comprising a database stored thereon, the database comprising a plurality of records, the records identifying at least two types of

digital assets, at least one type selected from the group consisting of still images, movies, graphics, voice-overs, promos, and text documents" as (col. 19-col. 20, col. 5, lines 30-35);

"a second computer readable medium comprising a document type definition (DTD) stored thereon, the DTD comprising declared elements and attributes for the at least two types of digital assets, the database records conforming to the DTD" (col. 14, lines 45-65, fig. 2);

"a third computer readable medium comprising digital content of the at least two types of digital assets stored on and associated with the DTD and the database records; and a central processing unit operative to access or receive data stored on the first, second, and third computer readable mediums" as (col. 19-col. 20, col. 5, lines 30-35).

"the DTD identifying to the central processing nut the declared elements and the declared element's relative locations within the database records to enable the central processing unit to process storage, retrieval, search, and tracking requests pertaining to a digital asset belonging to one of the at least two types of digital assets" as (col. 19, lines 20-40; col. 20, lines 20-45; col. 4, lines 20-40).

Sezan does not explicitly teach the claimed limitation "a second type selected from the group consisting of audio recordings and video recordings; the DTD further comprising metadata for rights management of at least two different types of digital assets selected from the group consisting of still images, promos, and voice-overs; the

format of database records conforming to the DTD; the format of the database records conforming to the DTD".

Baru teaches DTD includes attribute for rights management for graphic and video (col. 39; col. 11, lines 20-67). The various DTDs, on all levels, prescribe the requisite format of compliant content instances, but not the content itself or its manner of presentation. The topic DTDs and their progeny provide that compliant content includes one, multiple, or all of the following media types: text, short form text, audio, video, graphics images, etc. (abstract, col. 15, lines 30-40; col. 5, lines 30-50)

Montgomery teaches storing photographs, audio, voiceovers 492 in a disk (fig. 4B; col. 8, lines 1-10; col. 8, lines 30-35).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Montgomery's teaching of storing photographs, audio, voiceovers 492 in a disk and Baru's teaching of DTD includes attribute for rights management and The various DTDs, on all levels, prescribe the requisite format of compliant content instances, but not the content itself or its manner of presentation. The topic DTDs and their progeny provide that compliant content includes one, multiple, or all of the following media types: text, short form text, audio, video, graphics images and Montgomery's teaching to Sheth's in order to allow a user to search/retrieve digital motion video or video image in a database quickly and allow a view to manipulate voice for motion video or any different type of multimedia data easily and to search a portion of multimedia files via a network easily and quickly or save time searching/retrieving

multimedia files in an effective manner and further to unauthorized users search/retrieve or modify digital assets without permission.

As to claim 73, Sezan teaches the claimed limitation "wherein at least two of the first second, and third computer readable mediums are the same computer readable medium" as (col. 19-col. 20, col. 5, lines 30-35).

As to claim 74, Sezan teaches the claimed limitation "a definition for black/white; a definition for color; a definition for caption and a definition for legal restrictions associated with a photograph" as the management may include the capabilities of a device for providing the audio, video, and/or images. Such capabilities may include, for example, screen size, stereo, AC3, DTS, color, black/white (col. 6, lines 25-30).

As to claim 76, Sezan does not explicitly teach the claimed limitation "wherein the rights management metadata comprises at least one of: a contract identifier; an availability start date; an availability end date; an allowed number of plays per agreement; a copyright holder identifier and a worldwide rights identifier".

Baru teaches contact name as contact identifier (col. 39).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Baru's teaching of contact name to Sezan's sytem in order to prevent hacker or cracker to record video data.

19. Claim 74 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth in view of Baru and Montgomery and further in view of Sezan.

As to claim 74, Sheth does not explicitly teach the claimed limitation "a definition for black/white; a definition for color; a definition for caption and a definition for legal restrictions associated with a photograph". Sezan teaches the management may include the capabilities of a device for providing the audio, video, and/or images. Such capabilities may include, for example, screen size, stereo, AC3, DTS, color, black/white (col. 6, lines 25-30).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Sezan's teaching of color back/white to Sheth's system in order to permit a user can control color of image or movie following user's desire and understand the meaning of movie.

20. Claim 75 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan in view of Baru and Montgomery and further in view of Foreman et al (or hereinafter "Foreman") (USP 6628303).

As to claim 75, Sezan does not explicitly the claimed limitation "a definition for music; a definition for track title; a definition for duration; a definition for compact disc (CD) number; a definition for CD title; and a definition for rights issues regarding use of an audio recording". Foreman teaches Title track, duration (fig. 6).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Foreman's teaching of title track, duration to Sezan's system in order to provide information about programming available on such systems to a user and save time for viewers search/view information.

21. Claim 75 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth in view of Baru and Montgomery and further in view of Foreman et al (or hereinafter "Foreman") (USP 6628303).

As to claim 75, Sheth does not explicitly the claimed limitation "a definition for music; a definition for track title; a definition for duration; a definition for compact disc (CD) number; a definition for CD title; and a definition for rights issues regarding use of an audio recording". Foreman teaches Title track, duration (fig. 6).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Foreman's teaching of title track, duration to Sheth's system in order to provide information about programming available on such systems to a user and save time for viewers search/view information.

22. Claim 77 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sezan in view of Baru and Montgomery and further in view of Reimer et al (or hereinafter "Reimer") (USP 6065042).

As to claim 77, Sezan does not explicitly teach the claimed limitation "wherein DTD comprises metadata for movies and further comprises a plurality of metadata

attributes for the movie metadata, the movie-metadata attributes comprising at least one of: a definition for title; a definition for version; a definition for rating; a definition for minutes; a definition for release date; a definition for run time; a definition for color; a definition for synopis; a definition for director; a definition for cast; and a definition for allowable usage of a movie". Reimer teaches the VCR video version 702 includes five frames, whereas the corresponding shot 706 in the theatrical presentation 724 includes four frames. Each frame in the VCR video version 702 includes a unique time code. These time codes are measured from the beginning of the VCR video version 702. Since the number of frames per shot differs in the VCR video version 702 and the theatrical presentation 724, the time codes between the VCR video version 702 and the theatrical presentation 724 also differ (col. 12, lines 50-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Reimer's teaching of video version includes an unique time code to Sezan's system in order to allow a viewer to understand meaning of version before select any version of a movie or any media.

23. Claim 77 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth in view of Baru and Montgomery and further in view of Reimer et al (or hereinafter "Reimer") (USP 6065042).

As to claim 77, Sheth does not explicitly teach the claimed limitation "wherein DTD comprises metadata for movies and further comprises a plurality of metadata attributes for the movie metadata, the movie-metadata attributes comprising at least

one of: a definition for title; a definition for version; a definition for rating; a definition for minutes; a definition for release date; a definition for run time; a definition for color; a definition for synopis; a definition for director; a definition for cast; and a definition for allowable usage of a movie". Reimer teaches the VCR video version 702 includes five frames, whereas the corresponding shot 706 in the theatrical presentation 724 includes four frames. Each frame in the VCR video version 702 includes a unique time code. These time codes are measured from the beginning of the VCR video version 702. Since the number of frames per shot differs in the VCR video version 702 and the theatrical presentation 724, the time codes between the VCR video version 702 and the theatrical presentation 724 also differ (col. 12, lines 50-65).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Reimer's teaching of video version includes an unique time code to Sheth's system in order to allow a viewer to understand meaning of version before select any version of a movie or any media.

Conclusion

24. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

25, Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam Y T. Truong whose telephone number is (571) 272-4042. The examiner can normally be reached on Monday to Firday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Art Unit 2162